



CONNECTICUT  
HOSPITAL  
ASSOCIATION

**TESTIMONY OF  
CONNECTICUT HOSPITAL ASSOCIATION  
SUBMITTED TO THE  
VETERAN'S AFFAIRS COMMITTEE  
Tuesday, March 4, 2014**

**HB 5296, An Act Concerning Admissions To The Veterans' Home Or To A Hospital**

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **HB 5296, An Act Concerning Admissions To The Veterans' Home Or To A Hospital**. CHA opposes the bill as written.

Before outlining our concerns, it's important to detail the critical role hospitals play in the health and quality of life of our communities. All of our lives have, in some way, been touched by a hospital: through the birth of a child, a life saved by prompt action in an emergency room, or the compassionate end-of-life care for someone we love. Or perhaps our son, daughter, husband, wife, or friend works for, or is a volunteer at, a Connecticut hospital.

Hospitals treat everyone who comes through their doors 24 hours a day, regardless of ability to pay. In 2012, Connecticut hospitals provided nearly \$225 million in free services for those who could not afford to pay.

Connecticut hospitals are committed to initiatives that improve access to safe, equitable, high-quality care. They are ensuring that safety is reinforced as the most important focus—the foundation on which all hospital work is done. Connecticut hospitals launched the first statewide initiative in the country to become high reliability organizations, creating cultures with a relentless focus on safety and a goal to eliminate all preventable harm. This program is saving lives.

Generations of Connecticut families have trusted Connecticut hospitals to provide care we can count on.

HB 5296 is an attempt to further extend certain benefits to Connecticut veterans. CHA applauds the goals of HB 5296, but cannot support the language of the bill as drafted because it would require hospitals to assess veterans' benefits – a process not within a hospital's scope or ability. Also, the bill, in various situations, potentially violates at least two federal laws that hospitals must follow: EMTALA and HIPAA, both of which are designed to protect patient rights.

Specifically, the language in subsection (a) of the bill would require a hospital to “certify that it has taken sufficient steps to determine that no other funds or means of payment are available for such veteran.” While hospitals do extensive work to assist *every* patient regarding payment sources, they are not equipped to evaluate programs or other sources of payment that might apply to veterans but that are, perhaps, outside of the scope of the healthcare reimbursement arena. At a minimum, hospitals would need more guidance from the state as to which sources of payment HB 5296 intends hospitals to be considered, and how. Further, federal EMTALA laws and official guidance mandate that hospitals not delay any initial care at an emergency department to assess payment sources. If HB 5296 is intended to apply at intake in an emergency department, which it appears to be, then it will, at various times, place hospitals in the position of violating either state law or federal law.

Subsection (a) would also require hospitals to give preferred admission to veterans. This requirement is highly concerning, as it appears to require a hospital to ignore clinical needs of other patients, likely requiring a delay to admission of non-veteran patients.

Subsection (c) states that “[a]ny veteran admitted to a hospital as provided in this section shall execute a release permitting the commissioner or his or her agents to determine if the veteran has received the necessary food, clothing, care and treatment.” It is unclear what this section mandates. To the extent it mandates the release of hospital records, and requires the veteran to consent to such release, we note that the form of release used would need to comply with HIPAA regulation for authorization and access to records. Otherwise, it would potentially violate federal HIPAA laws.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.